Hovsepian v. Apple, Inc.
Doc. 160 Att. 2

EXHIBIT C

Dockets.Justia.com

5132992

SERIAL NUMBER (Series of 1987)	637562	PATENT DATE	JUL 21 1992	PATENT NUMBER	

SERIAL NUMBER	FILING DATE	CLASS	SUBCLASS	GROUP ART UNIT	EXAMINER
07/637,562	01/07/91			262	S. CHIN

APPLICANTS: PAUL YURT, SCOTTSDALE, [illegible] LEE BROWNE, GREENWICH, CT.

CONTINUING DATA********************

VERIFIED

None RS

FOREIGN/PCT APPLICATIONS**********

VERIFIED

None RS

FOREIGN FILING LICENSE GRANTED 04/18/91 ***** SMALL ENTITY *****

Foreign priority claimed / 35 USC 119 conditions met / Verified and Acknowledged	AS FILED	STATE OR COUNTRY	SHEETS DRWGS.	TOTAL CLAIMS	INDEP. CLAIMS	FILING FEE RECEIVED	ATTORNEY'S DOCKET NO.
☐ yes ☒ no; ☐ yes ☒ no; RS (Examiner's Initials)		[illegible]	19	32	3	$ 515.00	02473-0001-0

ADDRESS: FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER
1300 I ST., NW
WASHINGTON, DC [illegible]

TITLE: AUDIO AND VIDEO [illegible]

U.S. DEPT. of COMM.-Pat. & TM Office — PTO-436L (rev. 10-78)

PARTS OF APPLICATION FILED SEPARATELY

NOTICE OF ALLOWANCE MAILED	PREPARED FOR ISSUE 9-6-92		CLAIMS ALLOWED	
2-5-92	Assistant Examiner	Docket Clerk: [illegible]	Total Claims: 58	Print Claim: 1

ISSUE FEE			DRAWING		
Amount Due: 565.00	Date Paid: 3/4/92	STEPHEN CHIN 2603 / PRIMARY EXAMINER / GROUP 260 — Primary Examiner	Sheets Drwg.: 18	Figs. Drwg.: 19	Print Fig.: 2a

Label Area	ISSUE CLASSIFICATION		ISSUE BATCH NUMBER
	Class: 375	Subclass: 122	Z99

WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and 368. Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.

Form PTO 436 Rev. 8/90

637562

APPROVED FOR LICENSE ☐

INITIALS JAN 17 9134

CONTENTS

Entered or Counted			Received or Mailed
	1.	Application ______ papers.	
	2.	Letter Re: Fee + Oath	1/23/91
	3.	Dec Fee	2/11/91
	4.	Petition To Make Special (AEP)	6/7/91
	5.	Petition Filed / [illegible]	7/8/91 / [illegible]
7-8-91	6.	Rej (3) mo	8-29-91
	7.	Interview Summary	Sept 25 1991
10-28-91	8.	Amdt B	Oct 1 1991
11-29	9.	Rej (3 mos)	12-10-91
	10.	Interview Summary	Dec 10, 1991
1/16/92	11.	Amdt C	Dec 26 1991
	12.	Assoc. P/A	1-27-92
	13.	Interview Summary	2-3-92
	14.	[illegible]	2-5-92
	15.	[illegible] JUL [illegible] 92	10 Mar 92
	16.		
	17.		
	18.		
	19.		
	20.		
	21.		
	22.		
	23.		
	24.		
	25.		
	26.		
	27.		
	28.		
	29.		

JUN 17 1991

80.00 + 130 RECEIVED 262

JUN 21 1991

GROUP 260

PATENT
Attorney Docket No. 02473.0001-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

In re the application of	
Paul Yurt, et al.	
Serial No. 07/637,562	Group Art Unit: 262
Filed: January 7, 1991	Examiner:
For: AUDIO AND VIDEO TRANSMISSION AND RECEIVING SYSTEM	

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

PETITION TO MAKE SPECIAL UNDER
M.P.E.P. § 708.02(VIII)

Applicants hereby petition the Commissioner of Patents and Trademarks under M.P.E.P. § 708.02 (VIII) to make this application special and receive accelerated examination. In accordance with that section, Applicants have enclosed a check for $80.00 to cover the fee for this petition as set forth in 37 C.F.R. § 1.17(i). If any additional fees are required in connection with the filing of this Petition, please charge those fees to Deposit Account No. 06-916.

All claims presented for examination are believed to be directed to a single invention. If, however, the Examiner requires a restriction, Applicants provisionally elect for prosecution whichever group of claims contains method claims 18-21.

Also in accordance with M.P.E.P. §708.02 (VIII), Applicants affirm that a preexamination search has been made

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N W
WASHINGTON, DC 20005
1-202-408-4000

080 GS 06/20/91 07637562 1 130 80.00 CK

by an attorney who conducted searches in class 358, subclass 86 and class 455, subclasses 4, 5, 86, 102, 135, and 136.

The following references were developed during the searches and during subsequent investigations, and a copy of each of these references is enclosed along with a copy of PTO Form FB-A820 listing these references.

DESCRIPTION OF THE CLAIMED INVENTION

The present invention is directed to an audio and video transmission and receiving system in which the user controls the access and the playback operations of selected material. The present invention affords the user greater access to and control over audio and video information than is possible in conventional systems. With the present invention, a user can request audio and video information to be sent to a selected destination. Further, the user is not constrained to having programs played at a particular time because the system has a buffering capability. By employing such buffering, the user has individualized control over the replay of requested programs. Moreover, requested programs are sent to the user in a compressed format. This enables the system to send requested programs to users in a relatively short time period, and allows users to store large quantities of requested material for playback at a desired time.

The entire system includes a transmission system and a reception system. The transmission system includes a source material library from which a user makes a selection. The selected program is processed and compressed for storage in a

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N. W.
WASHINGTON, DC 20005
1-202-408-4000

compressed data library. The system control computer controls access to programs stored in the compressed data library and controls transmission of selected programs to a user.

Once a selected program is transmitted, the reception system of the present invention receives the program and buffers it in a storage section. Because the program is buffered, the user can choose to replay the stored program whenever desired. When replay is requested, the program is decompressed and played back in real time at the receiving device requested by the user.

Figs. 2A and 2B of the application are detailed block diagrams of a preferred implementation of the transmission system of the present invention. Fig. 2B shows an implementation of the compressed data storing means recited in claim 1 as the compressed data library 118. Fig. 6 is a block diagram of a preferred implementation of the receiving system of the present invention. Fig. 6 shows an implementation of the storing means required in claim 22 as element 203. Fig. 7 is a flowchart of a preferred method of distribution which shows the buffering step at step 418.

Claims 1-17 are directed to a transmission system for providing information to remote locations. The system recited in those claims includes library means, for example source material library 111, for storing items. A requested program is encoded in the identification encoding means, for example identification encoder 112, which assigns the requested program with a unique identification code. The requested program is also converted by the converting means, for example converter 123, and ordered into a sequence of addressable data block by the ordering means, for

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N. W
WASHINGTON, DC 20005
1-202-408-4000

example time encoder 114 and precompression processor 115. Subsequently, the program is compressed by compression means, such as compressor 116, and stored in the compressed data storing means, which may be compressed data library 118. The identification means, the conversion means, the ordering means, and the compressed data stores storing means will be collectively referred to as preprocessing elements. Transmitter means, for example transmitter format means 119 and transmitter 122, transmit the requested program to the user.

Claim 7 calls for a system control interface means for generating a visually-perceptible list of the items available in the compressed data library, and library access interface means, which may be library access interface 121, which receives transmission requests and retrieves formatted data blocks stored in the compressed data library means.

Claims 18-21 cover a distribution method responsive to user requests identifying information to be sent from a transmission system to remote locations. This is shown in Figure 7. The distribution method of independent claim 18 includes the steps of processing audio and information for storage in a compressed data form (steps 413a-413e), storing audio and video information in a compressed data form (step 414) and user request of the stored information for transmission to a selected remote location (step 415). The method also includes the steps of sending the compressed information to a remote location (step 416) and receiving it there (step 417). After reception, the distribution method includes buffering the received information (step 418) and

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N. W.
WASHINGTON, DC 20005
1-202-408-4000

playing it back in real time at a time requested by the user (step 419). The distribution method recited in claim 21 further includes, the step of storing a list of items available to the user from at least one compressed data library, and providing the user with the list so that the user may remotely select a particular item for transmission.

Claims 22-32 are directed to a receiving system responsive to a user input identifying an item stored in a source material library to be played back to the subscriber at a location remote from the source material library, the item containing information to be sent from a transmitter to the receiving system. The reception system 200 comprises transceiver means, such as transceiver 201, which receives requested information from the transmitter as compressed formatted data. The received information is converted into a format suitable for storage and playback in real time in the receiver format conversion means, which may be receiver format converter 202, and then stored as compressed data in the storage means, for example storage 203. When playback is requested, the decompressing means, for example audio decompressor 209 and video decompressor 208, decompresses the information and the output conversion means, such as output converter 206, plays back the decompressed information in real time at a time specified by the user.

As recited in claim 27, the output data conversion means further comprises digital video output means, for example video output converter 211, and analog video output means, for example analog video output converter 213. According to claim 30, the

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N W
WASHINGTON, DC 20005
1-202-408-4000

output data conversion means also includes digital audio output means, for example digital audio output converter 212, and analog audio output means, for example analog audio output converter 214. Claim 32 recites that the transceiver means, such as transceiver 201, receives information via any one of telephone, ISDN, broadband ISDN, satellite, common carrier, computer channels, cable television systems, MAN, and microwave.

DETAILED DESCRIPTION OF THE REFERENCES

A. REFERENCES CITED IN THE SPECIFICATION

1. **Lang, U.S. Patent No. 4,963,995**

Lang, which is discussed in the Background of Invention portion of the specification, discloses an audio/video transceiver apparatus (VCR-ET) that includes a compression capability. The VCR-ET of Lang is an improved audio/video recorder which has "added features and functions which significantly enhance its usefulness and functionality." See col. 1, lines 65-68. Specifically, Lang discloses an audio/video transceiver with the capability of editing or copying from one video tape to another using only a single tape deck. Lang further discloses a VCR-ET which can re-transmit a program to a second VCR-ET. See Col. 7, lines 60-64.

Lang does not disclose a transmission system as recited in independent claim 1 because Lang does not teach or suggest a transmission system for providing information to remote locations which includes library means for storing items. Lang also does not teach or suggest an identification encoding means for

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N. W
WASHINGTON, DC 20005
1-202 408 4000

7. **Ohrenstein**

The Ohrenstein article describes a data storage system with a high performance parallel interface (HPPI).

8. **Morreale et al.**

The Morreale et al. article discusses metropolitan-area networks (MAN).

CONCLUSION

None of the references renders the pending claims invalid under 35 U.S.C. § 103. Furthermore, there is no reasonable combination of references which can be combined under 35 U.S.C. § 103 to render the pending claims obvious to a person of ordinary skill.

The requirements of M.P.E.P. §708.02 (VIII) having been met, and the pending claims being allowable over the references, Applicants request that this Petition to Make Special be granted and that claims 1-32 of this application be passed to issue as quickly as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER

By: [signature]
Doris J. Johnson
Reg. No. 34,629

Dated: June 17, 1991

LAW OFFICES
FINNEGAN, HENDERSON
FARABOW, GARRETT
& DUNNER
1300 I STREET, N. W
WASHINGTON, DC 20005
1 202 408-4000